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June 11, 2008

(By Fax)
Hon. Denise L. Cote
United States District Judge
Southern District of New York
500 Pearl Street, Room 1040
New York, NY 10007

MEMO ENDORSED

Re: M.M. et al v. NYCDOE, 07 CV 8640 (DLC)

Dear Judge Cote:

I am writing to request that the Court's Order to Show Cause with respect to the above captioned action and related actions be adjourned from Friday, June 13, 2008 until Tuesday, June 17, 2008. All of the related actions were assigned to me by my superiors in the Law Department, in order to see if there was a possibility of entering into a protocol with plaintiffs' counsel to administratively deal with the attorneys fee claims.

There was an exchange of correspondence between counsel, and a settlement conference before Magistrate Judge Maas was scheduled for May 29, 2008. Unfortunately, I required minor surgery, which I had on May 30, 2008, and the settlement conference was adjourned until June 12, 2008. That will be my first day back in the office. Hopefully, the settlement conference will be productive. I take post surgery therapy and am scheduled for therapy near my home on Friday, June 13, 2008 and Monday, June 16, 2008.

I apologize for not bringing these facts to the attention of the Court earlier.

Accordingly, I respectfully request that the return date of the Order to show cause be adjourned until Tuesday, June 17, 2008.

Granted - In the future, any application should indicate whether it is made with consent. The June 17 submission must address why no submission was made on May 30, and why no request for an extension was made well in advance of May 30.
Denise Cote
June 11, 2008

Respectfully,

Jesse I. Levine
Jesse I. Levine (8829)